

Message Text

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TO ALL DIPLOMATIC POSTS PRIORITY

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E.O. 11652:

TAGS: PLOS

SUBJECT: SECRETARY'S SPEECH ON APRIL 8: NEW PROPOSALS FOR
LAW OF THE SEA

FOR AMBASSADORS

1. THE SECRETARY DELIVERED THE FOLLOWING SPEECH IN NEW YORK
ON APRIL 8 AT LUNCHEON SPONSORED BY U.S. FOREIGN POLICY
ASSOCIATION, U.S. COUNCIL OF INTERNATIONAL CHAMBER OF
COMMERCE AND U.N. ASSOCIATION OF THE U.S.A. YOU WILL NOTE
THAT SPEECH CONTAINS NEW U.S. PROPOSALS DESIGNED TO PROVIDE
MOMENTUM TO NEGOTIATIONS IN CONFERENCE ON LOS CURRENTLY
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MEETING IN NEW YORK. SEPTTEL WILL FOLLOW WITH GUIDANCE FOR

DISCUSSING SPEECH WITH HOST GOVERNMENTS.

2. BEGIN TEXT.

LADIES AND GENTLEMEN:

I WANT TO SPEAK TO YOU TODAY ABOUT ONE OF THE MOST IMPORTANT INTERNATIONAL NEGOTIATIONS THAT HAS EVER TAKEN PLACE -- THE GLOBAL CONFERENCE NOW UNDERWAY HERE IN NEW YORK ON THE LAW OF THE SEA. LAST SUMMER IN MONTREAL I SET FORTH A COMPREHENSIVE UNITED STATES PROGRAM TO HELP BRING MATTERS AT THIS YEAR'S CONFERENCE TO A RAPID AND SUCCESSFUL CONCLUSION.

TODAY I WILL OFFER NEW PROPOSALS WHICH ADDRESS THE REMAINING IMPORTANT ISSUES BEFORE US, SO THAT THIS GREAT NEGOTIATION MAY LEAD TO A FINAL RESULT THIS YEAR.

FOR WE LIVE IN AN AGE WHEN THE ACCELERATING FORCES OF MODERN LIFE -- TECHNOLOGICAL, ECONOMIC, SOCIAL AND POLITICAL ARE LEADING THE PEOPLES OF THE WORLD INTO UNPRECEDENTED AND INTERRELATED AREAS OF HUMAN ACTIVITY. NEW PROSPECTS ARE OPENING BEFORE US -- FRAUGHT WITH POTENTIAL FOR INTERNATIONAL CONTENTION, BUT FILLED AS WELL WITH THE HOPES OF UNPARALLELED HUMAN ADVANCEMENT.

THE PRINCIPAL PROBLEMS WHICH ALL NATIONS FACE TODAY ARE TRULY GLOBAL IN NATURE. THEY TRANSCEND GEOGRAPHIC AND POLITICAL BOUNDARIES. THEIR COMPLEXITY ELUDES THE CONVENTIONAL SOLUTIONS OF THE PAST, AND THEIR PACE OUTSTRIPS THE MEASURED PROCESSES OF TRADITIONAL DIPLOMACY. THERE IS THE IMPERATIVE OF PEACE -- THE FAMILIAR BUT VASTLY MORE URGENT REQUIREMENTS OF MAINTAINING GLOBAL STABILITY, RESOLVING CONFLICTS, EASING TENSIONS; THESE ISSUES DOMINATE THE AGENDA OF RELATIONS BETWEEN EAST AND WEST. AND THERE ARE THE NEW CHALLENGES OF THE WORLD'S ECONOMY AND OF COOPERATIVE SOLUTIONS TO SUCH INTERNATIONAL PROBLEMS AS FOOD, ENERGY, POPULATION, TRADE AND THE ENVIRONMENT. THESE ARE THE AGENDA OF THE MODERN PERIOD, PARTICULARLY IN THE EVOLVING RELATIONSHIP BETWEEN THE DEVELOPED AND THE DEVELOPING NATIONS.

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IN AN INTERNATIONAL ORDER COMPOSED OF SOVEREIGN STATES, THE PRECONDITION OF EFFECTIVE POLICY IS SECURITY. BUT SECURITY, WHILE ESSENTIAL, IS NOT ENOUGH. THE AMERICAN PEOPLE WILL NEVER BE SATISFIED WITH A WORLD WHOSE STABILITY DEPENDS ON A BALANCE OF TERROR CONSTANTLY CONTESTED.

THEREFORE, SIDE BY SIDE WITH SEEKING TO MAINTAIN THE

SECURITY OF FREE COUNTRIES, THE UNITED STATES HAS STRIVEN TO BUILD A NEW WORLD BASED ON COOPERATION. WE ARE CONVINCED THAT OUR COMMON PROGRESS REQUIRES NATIONS TO ACKNOWLEDGE THEIR INTERDEPENDENCE AND ACT OUT OF A SENSE OF COMMUNITY. THEREFORE, AT THE SEVENTH SPECIAL SESSION OF THE UNITED NATIONS GENERAL ASSEMBLY IN SEPTEMBER OF LAST YEAR WE MADE A MAJOR EFFORT TO PROJECT OUR VISION OF A MORE POSITIVE FUTURE. WE SOUGHT TO MOBILIZE COLLABORATION ON A GLOBAL SCALE ON MANY CURRENT ISSUES OF ECONOMIC DEVELOPMENT. WE WERE GRATIFIED BY THE RESPONSE TO OUR INITIATIVES. WE ARE PREPARED TO ACCELERATE OUR EFFORT.

VIRTUALLY ALL MAJOR ELEMENTS OF THIS NEW AGE OF INTERDEPENDENCE ARE INVOLVED IN ONE OF THE GREAT ISSUES OF OUR TIME: THE QUESTION OF MANKIND'S USE OF THE OCEANS. IN NO AREA ARE THE CHALLENGES MORE COMPLEX OR THE STAKES HIGHER. NO OTHER COMMON EFFORT HOLDS SO MUCH POSITIVE HOPE FOR THE FUTURE RELATIONSHIP BETWEEN RICH NATIONS AND POOR OVER THE LAST QUARTER OF THIS CENTURY AND BEYOND.

TODAY I WANT TO SPEAK TO YOU ABOUT THE URGENCY OF THIS ISSUE. THE LAW OF THE SEA NEGOTIATIONS NOW ARE AT A CRITICAL STAGE. THERE HAVE BEEN MANY SUCCESSES, BUT THEY WILL PROVE STILLBORN UNLESS ALL THE REMAINING ISSUES ARE SETTLED SOON. THE UNITED STATES BELIEVES THAT IF THE PRESENT SESSION DOES NOT COMPLETE ITS WORK, ANOTHER -- AND FINAL -- SESSION SHOULD BE ASSEMBLED THIS SUMMER. IF THE NEGOTIATIONS ARE NOT COMPLETED THIS YEAR THE WORLD WILL HAVE LOST ITS BEST CHANCE TO ACHIEVE A TREATY IN THIS GENERATION.

I WANT TO FOCUS TODAY UPON THE MOST IMPORTANT PROBLEMS REMAINING BEFORE THE CONFERENCE TO SPEED THEIR SOLUTION. I SHALL SET FORTH PROPOSALS WHICH IN OUR VIEW CAN SERVE AS UNCLASSIFIED

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THE BASIS FOR A WIDELY ACCEPTED TREATY.

THE IMPORTANCE OF THE OCEANS

MOST ISSUES IN INTERNATIONAL AFFAIRS IMPINGE ON OUR CONSCIOUSNESS IN THE FORM OF CRISIS; BUT MANY OF THE MOST IMPORTANT PROBLEMS WHICH CRUCIALLY AFFECT OUR FUTURE COME TO US FAR LESS DRAMATICALLY. THE WORLD IS UNDERGOING FUNDAMENTAL ECONOMIC, TECHNOLOGICAL AND SOCIAL TRANSFORMATIONS WHICH DO NOT DOMINATE THE DAILY HEADLINES. SOME OF THEM ARE EVEN MORE PROFOUND IN THEIR CONSEQUENCES THAN MOST IMMEDIATE POLITICAL CRISES. IN NO AREA IS THIS MORE TRUE THAN THE OCEANS, A REALM WHICH COVERS 70 PERCENT OF THE EARTH'S SURFACE.

FREEDOM OF THE SEAS REMAINS BASIC TO THE SECURITY AND WELLBEING OF MOST NATIONS. THE SEABORNE COMMERCE OF THE GLOBE IS EXPECTED TO QUADRUPE WITHIN A FEW DECADES. THE RELIANCE OF THE WORLD'S PEOPLE UPON THE SEAS TO CARRY FOOD AND ENERGY IS INCREASING. MODERN TECHNOLOGY HAS ENABLED INDUSTRIES TO SWEEP THE SEAS FOR FISH AND TO PROBE THE OCEAN'S FLOOR FOR VITAL MINERALS AND RESOURCES. MANKIND'S GROWING DEPENDENCE ON THE SEAS, AND THE BURGEONING WORLD POPULATION ALONG THEIR SHORES, ARE ALREADY BURDENING THE ECOLOGY OF THE OCEANS -- A DEVELOPMENT OF POTENTIALLY CATASTROPHIC SIGNIFICANCE, FOR THE OCEANS ARE THE VERY SOURCE OF LIFE AS WE KNOW IT, THE CHARACTERISTIC DISTINGUISHING OUR WORLD FROM ALL OTHER PLANETS.

THESE DEVELOPMENTS HAVE BROUGHT WITH THEM A VAST ARRAY OF COMPETITIVE PRACTICES AND CLAIMS, WHICH -- UNLESS THEY ARE HARMONIZED -- THREATEN AN ERA OF UNRESTRAINED COMMERCIAL RIVALRY, MOUNTING POLITICAL TURMOIL, AND EVENTUALLY MILITARY CONFLICT. WE STAND IN DANGER OF REPEATING WITH RESPECT TO THE OCEANS THE BITTER RIVALRIES THAT HAVE PRODUCED ENDLESS CONFLICT ON LAND.

A COOPERATIVE INTERNATIONAL REGIME TO GOVERN THE USE OF THE OCEANS AND THEIR RESOURCES IS THEREFORE AN URGENT NECESSITY. IT IS, AS WELL, AN UNPRECEDENTED OPPORTUNITY FOR THE NATIONS OF THE WORLD TO DEVISE THE FIRST TRULY UNCLASSIFIED

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GLOBAL SOLUTION TO A GLOBAL PROBLEM. AND THE OPPORTUNITY IS ALL THE GREATER BECAUSE WE START WITH A CLEAN SLATE.

THUS, THE MULTILATERAL EFFORT TO AGREE UPON A COMPREHENSIVE TREATY ON THE LAW OF THE SEA HAS IMPLICATIONS BEYOND THE TECHNICAL PROBLEMS OF THE USE OF THE OCEANS. IT TOUCHES UPON BASIC ISSUES UNDERLYING THE LONG-TERM STABILITY AND PROSPERITY OF OUR GLOBE. THE CURRENT NEGOTIATION IS A MILESTONE IN THE STRUGGLE TO SUBMIT MAN'S ENDEAVORS TO THE CONSTRAINTS OF INTERNATIONAL LAW.

LET US UNDERSTAND MORE PRECISELY WHAT IS AT STAKE:

-- IN A WORLD OF GROWING SCARCITY, THE OCEANS HOLD UNTAPPED RICHES OF MINERALS AND ENERGY. FOR EXAMPLE, IT IS ESTIMATED THAT 40 PERCENT OF THE WORLD'S PETROLEUM AND VIRTUALLY INEXHAUSTIBLE SUPPLIES OF MINERALS LIE BENEATH THE SEA. OUR ECONOMIC GROWTH AND TECHNOLOGICAL PROGRESS WILL BE GREATLY AFFECTED BY THE USES MADE OF THESE RESOURCES.

-- IN A WORLD WHERE THE GROWTH OF POPULATION THREATENS TO OVERWHELM THE EARTH'S CAPACITY TO PRODUCE FOOD, THE FISH

OF THE SEAS ARE AN INCREASINGLY PRECIOUS -- AND ENDANGERED
-- SOURCE OF PROTEIN. THE WELLBEING AND INDEED THE VERY
SURVIVAL OF FUTURE GENERATIONS MAY WELL DEPEND UPON WHETHER
MANKIND CAN HALT THE PRESENT WANTON DEPLETION OF THIS VAST
STOREHOUSE OF NUTRITION.
-- IN A WORLD IN WHICH THE HEALTH OF THE PLANET OUR
CHILDREN WILL INHERIT DEPENDS UPON DECISIONS WE MAKE TODAY,
THE ENVIRONMENTAL INTEGRITY OF THE OCEANS -- WHICH AFFECTS
THE QUALITY OF LIFE EVERYWHERE -- IS VITAL.
-- AND IN A WORLD STILL BUFFETED BY NATIONAL CONFLICTS.
ECONOMIC CONFRONTATION AND POLITICAL STRIFE THE FREE AND
FAIR USE OF THE OCEANS IS CRUCIAL TO FUTURE PEACE AND
PROGRESS.

THE OCEANS ARE NOT MERELY THE REPOSITORY OF WEALTH
AND PROMISE; THEY ARE, AS WELL, THE LAST COMPLETELY UNTAMED
FRONTIER OF OUR PLANET. AS SUCH, THEIR POTENTIAL -- FOR
ACHIEVEMENT OR FOR STRIFE -- IS VAST. IN THE NINETEENTH
CENTURY, THE INDUSTRIAL REVOLUTION GAVE BIRTH TO IMPROVED
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COMMUNICATIONS, TECHNOLOGICAL INNOVATIONS AND NEW FORMS OF
BUSINESS ORGANIZATION WHICH IMMEASURABLY EXPANDED MAN'S
CAPACITY TO EXPLOIT THE FRONTIERS AND TERRITORIES OF THE
ENTIRE GLOBE. IN LESS THAN ONE GENERATION, ONE-FIFTH OF
THE LAND AREA OF THE PLANET AND ONE-TENTH OF ITS INHABI-
TANTS WERE GATHERED INTO THE DOMAIN OF IMPERIAL POWERS IN
AN UNRESTRAINED SCRAMBLE FOR COLONIES. THE COSTS -- IN
AFFRONT TO HUMAN DIGNITY, IN MATERIAL WASTE AND DEPRIVATION.
AND IN MILITARY CONFLICT AND POLITICAL TURBULENCE HAUNT US
STILL.

LIKE THE NON-WESTERN LANDS OF A CENTURY BEFORE, TODAY
IT IS THE OCEANS WHICH SUDDENLY ARE ACCESSIBLE TO NEW
TECHNOLOGY AND ALLURING TO EXPLORATION. THEIR PROMISE MAY
BE EVEN GREATER THAN THE UNTAPPED LANDS OF THE CENTURY PAST.
SO TOO IS THEIR POTENTIAL FOR CONFLICT. THE DECISION WILL
BE OURS. THE INTERNATIONAL COMMUNITY NOW STANDS AT THE
THRESHOLD OF WHAT CAN EASILY TURN INTO A NEW PERIOD OF UN-
HERALDED COMPETITIVE ACTIVITY. IT IS OUR CONTENTION THAT
THE NATIONS OF THE WORLD CANNOT AFFORD TO INDULGE IN
ANOTHER ROUND OF UNRESTRAINED STRUGGLE FOR THE WEALTH OF
OUR PLANET WHEN THE GLOBE IS ALREADY BURDENED BY IDEOLOGI-
CAL STRIFE AND THERMONUCLEAR WEAPONS.

THE UNITED STATES COULD SURVIVE SUCH COMPETITION
BETTER THAN OTHER NATIONS; AND SHOULD IT BE NECESSARY, WE
ARE PREPARED TO DEFEND OUR INTERESTS. INDEED, WE COULD
GAIN A GREAT DEAL UNILATERALLY IN THE NEAR TERM. BUT WE
WOULD DO SO IN AN ENVIRONMENT OF CONSTANT AND MOUNTING

CONFLICT. ALL NATIONS, INCLUDING OUR OWN, ULTIMATELY WOULD LOSE UNDER SUCH UNPREDICTABLE AND DANGEROUS CONDITIONS.

THAT IS NOT THE KIND OF WORLD WE WANT TO SEE. OUR PREFERENCE IS TO HELP BUILD A RATIONAL AND COOPERATIVE STRUCTURE OF INTERNATIONAL CONDUCT TO USHER IN A TIME OF PEACE AND PROGRESS FOR ALL PEOPLES. WE SEE THE OCEANS AS A TRUST WHICH THIS GENERATION HOLDS -- NOT ONLY FOR ALL MANKIND, BUT FOR FUTURE GENERATIONS AS WELL.

THE LEGACY OF HISTORY MAKES THIS A DIFFICULT TASK. FOR CENTURIES, THE SONGS AND LEGENDS OF PEOPLES EVERYWHERE UNCLASSIFIED

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HAVE SEEN THE OCEANS AS THE VERY SYMBOL OF ESCAPE FROM BOUNDARIES, CONVENTION AND RESTRAINT. THE OCEANS HAVE BECKONED MANKIND TO REWARDS OF WEALTH AND POWER, WHICH AWAITED THOSE BRAVE AND IMAGINATIVE ENOUGH TO MASTER THE FORCES OF NATURE.

IN THE MODERN ERA THE INTERNATIONAL LAW OF THE SEA HAS BEEN DOMINATED BY A SIMPLE BUT FUNDAMENTAL PRINCIPLE --

FREEDOM OF THE SEAS. BEYOND A NARROW BELT OF TERRITORIAL WATERS OFF THE SHORES OF COASTAL STATES, IT HAS LONG BEEN ESTABLISHED AND UNIVERSALLY ACCEPTED THAT THE SEAS WERE FREE TO ALL FOR FISHING AND NAVIGATION.

TODAY THE SIMPLE RULES OF THE PAST ARE CHALLENGED. PRESSURE ON AVAILABLE FOOD, FUEL AND OTHER RESOURCES HAS HEIGHTENED AWARENESS OF THE OCEAN'S POTENTIAL. THE REACH OF TECHNOLOGY AND MODERN COMMUNICATIONS HAVE TEMPTED NATIONS TO SEEK TO EXERCISE CONTROL OVER OCEAN AREAS TO A DEGREE UNIMAGINED IN THE PAST. THUS COASTAL STATES HAVE BEGUN TO ASSERT JURISDICTIONAL CLAIMS FAR OUT TO SEA -- CLAIMS WHICH UNAVOIDABLY CONFLICT WITH THE ESTABLISHED LAW AND WITH THE PRACTICES OF OTHERS, AND WHICH HAVE BROUGHT A PATTERN OF ALMOST CONSTANT INTERNATIONAL CONFLICT. OFF THE SHORES OF NEARLY EVERY CONTINENT, FORCES OF COASTAL STATES CHALLENGE FOREIGN FISHING VESSELS: THE "COD WAR" BETWEEN ICELAND AND GREAT BRITAIN; TUNA BOAT SEIZURES OFF SOUTH AMERICA; SOVIET TRAWLING OFF NEW ENGLAND -- THESE ARE BUT SOME EXAMPLES.

IT IS EVIDENT THAT THERE IS NO ALTERNATIVE TO CHAOS BUT A NEW GLOBAL REGIME DEFINING AN AGREED SET OF RULES AND PROCEDURES. THE PROBLEM OF THE OCEANS IS INHERENTLY INTERNATIONAL. NO UNILATERAL OR NATIONAL SOLUTION IS LIKELY TO PREVAIL WITHOUT CONTINUAL CONFLICT. THE LAW OF THE SEA CONFERENCE PRESENTS THE NATIONS OF THE WORLD WITH

THEIR CHOICE AND THEIR OPPORTUNITY. FAILURE TO AGREE IS CERTAIN TO BRING FURTHER, MORE INTENSE CONFRONTATION, AS THE NATIONS OF THE WORLD -- NOW NUMBERING SOME L50 -- GO ALL OUT TO EXTEND UNILATERAL CLAIMS.

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THE LAW OF THE SEA CONFERENCE

THESE ARE THE REASONS WHY THE INTERNATIONAL COMMUNITY HAS ENGAGED ITSELF IN A CONCENTRATED EFFORT TO DEVISE RULES TO GOVERN THE DOMAIN OF THE OCEANS. SUBSTANTIVE NEGOTIATIONS ON A LAW OF THE SEA TREATY BEGAN IN 1974 IN CARACAS; A SECOND SESSION WAS HELD IN GENEVA LAST YEAR. NOW, HERE IN NEW YORK, WORK IS UNDERWAY AIMED AT CONCLUDING A TREATY BEFORE THIS YEAR IS OUT.

IT IS NO EXAGGERATION TO SAY THAT THIS IS ONE OF THE MOST SIGNIFICANT NEGOTIATIONS IN DIPLOMATIC HISTORY. THE UNITED STATES APPROACHES THIS NEGOTIATION WITH CONVICTION THAT WE SIMPLY CANNOT AFFORD TO FAIL.

PROGRESS TO DATE

THE ISSUES BEFORE THE LAW OF THE SEA CONFERENCE COVER VIRTUALLY EVERY AREA AND ASPECT OF MAN'S USES OF THE SEAS, FROM THE COASTLINE TO THE FARTHEST DEEP SEABED. LIKE THE OCEANS THEMSELVES, THESE VARIOUS ISSUES ARE INTERRELATED PARTS OF A SINGLE ENTITY. WITHOUT AGREEMENT ON ALL THE ISSUES, AGREEMENT ON ANY WILL BE EMPTY, FOR NATIONS WILL NOT ACCEPT A PARTIAL SOLUTION -- ALL THE LESS SO AS SOME OF THE CONCESSIONS THAT HAVE BEEN MADE WERE BASED ON THE EXPECTATION OF PROGRESS ON THE ISSUES WHICH ARE NOT YET SOLVED.

SIGNIFICANT PROGRESS HAS BEEN MADE ON MANY KEY PROBLEMS. MOST PROMINENT AMONG THEM ARE:

-- FIRST, THE EXTENT OF THE TERRITORIAL SEAS, AND THE RELATED ISSUE OF FREE TRANSIT THROUGH STRAITS. THE CONFERENCE HAS ALREADY REACHED WIDESPREAD AGREEMENT ON EXTENDING THE TERRITORIAL SEA -- THE AREA WHERE A NATION EXERCISES FULL SOVEREIGNTY -- TO 12 MILES. EVEN MORE IMPORTANTLY, THERE IS SUBSTANTIAL AGREEMENT ON GUARANTEED UNIMPEDED TRANSIT THROUGH AND OVER STRAITS USED FOR INTERNATIONAL NAVIGATION. THIS IS OF CRUCIAL IMPORTANCE, FOR IT MEANS THAT THE STRAITS WHOSE USE IS MOST VITAL TO INTERNATIONAL COMMERCE AND GLOBAL SECURITY -- SUCH AS THE

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STRAITS OF GIBRALTAR AND MALACCA -- WILL REMAIN OPEN TO INTERNATIONAL SEA AND AIR TRANSIT. THIS IS A PRINCIPLE TO WHICH THE UNITED STATES ATTACHES THE UTMOST IMPORTANCE.

-- SECOND, THE DEGREE OF CONTROL THAT A COASTAL STATE CAN EXERCISE IN THE ADJACENT OFFSHORE AREA BEYOND ITS TERRITORIAL WATERS.

THIS IS THE SO-CALLED "ECONOMIC ZONE", IN WHICH LIE SOME OF THE WORLD'S MOST IMPORTANT FISHING GROUNDS AS WELL AS MAJOR DEPOSITS OF OIL, GAS AND MINERALS. GROWING INTERNATIONAL PRACTICE HAS MADE IT CLEAR THAT IN THE ABSENCE OF AN INTERNATIONAL TREATY, COASTAL NATIONS WOULD EVENTUALLY ATTEMPT TO ESTABLISH THE EXTENT OF THEIR OWN ZONE AND DETERMINE FOR THEMSELVES WHAT ACTIVITIES -- NATIONAL AND INTERNATIONAL -- COULD BE CARRIED OUT THERE. THESE WOULD BE AREAS THROUGH WHICH MOST OF THE WORLD'S SHIPPING MOVES, AND WHICH IS AS WELL THE RICHEST GROUND FOR ECONOMIC EXPLOITATION. THE COMPLEXITIES AND CONFRONTATIONS WHICH WOULD RESULT FROM SUCH AN APPROACH ARE OBVIOUS.

THEREFORE WE ARE GRATIFIED THAT THE CONFERENCE IS READY TO SETTLE UPON A TWO-HUNDRED MILE ECONOMIC ZONE. THIS WILL PERMIT COASTAL STATE CONTROL OVER SOME ACTIVITIES WHILE MAINTAINING VITAL AND TRADITIONAL INTERNATIONAL FREEDOMS. THE COASTAL STATES WILL CONTROL FISHERIES, MINERAL, AND OTHER RESOURCE ACTIVITIES. AT THE SAME TIME, FREEDOM OF NAVIGATION AND OTHER FREEDOMS OF THE INTERNATIONAL COMMUNITY MUST BE RETAINED -- IN THIS SENSE THE ECONOMIC ZONE REMAINS PART OF THE HIGH SEAS. IN ADDITION, THE TREATY MUST PROTECT CERTAIN INTERNATIONAL INTERESTS, SUCH AS ENSURING ADEQUATE FOOD SUPPLY, CONSERVING HIGHLY MIGRATORY SPECIES, AND ACCOMMODATING THE CONCERNS OF STATES -- INCLUDING THE LANDLOCKED -- THAT OTHERWISE WOULD DERIVE LITTLE BENEFIT FROM THE ECONOMIC ZONE.

-- THIRD, THE RIGHTS OF COASTAL STATES AND THE INTERNATIONAL COMMUNITY OVER CONTINENTAL MARGIN RESOURCES WHERE THE MARGIN EXTENDS BEYOND 200 MILES. THE CONTINENTAL MARGIN IS THE NATURAL PROLONGATION OF THE CONTINENTAL LAND MASS UNDER THE OCEANS. THE QUESTION IS: WHO SHALL HAVE THE RIGHT TO EXTRACT SEABED RESOURCES IN

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THIS REGION AND WHO SHALL SHARE IN THE BENEFITS OF SUCH EXPLOITATION? WE SEEK A SOLUTION WHICH WILL MEET THE INTERNATIONAL COMMUNITY'S INTEREST IN THE AREA BEYOND 200

MILES AND STILL TAKE INTO ACCOUNT THE DESIRE OF COASTAL STATES WITH BROAD MARGINS TO EXPLOIT THEIR MARGIN RESOURCES BEYOND THE PROPOSED ECONOMIC ZONE. THE CONFERENCE HAS BEFORE IT A REASONABLE PROPOSAL FOR AGREEMENT ON THIS QUESTION. IN GENERAL, THE COASTAL STATES WOULD HAVE JURISDICTION OVER CONTINENTAL MARGIN RESOURCES BEYOND 200 MILES TO A LIMIT WITH A PRECISE DEFINITION.

UNDER THE SYSTEM NOW BEING NEGOTIATED THE TREATY WOULD ALSO PROVIDE FOR THE COASTAL STATES TO SHARE WITH THE INTERNATIONAL COMMUNITY A SPECIFIED PERCENTAGE OF THE VALUE OF MINERAL RESOURCES EXPLOITED IN THAT AREA FOR THE BENEFIT OF THE DEVELOPING COUNTRIES, INCLUDING THE LANDLOCKED COUNTRIES. THE COASTAL STATE WOULD PAY A ROYALTY BASED UPON THE VALUE OF PRODUCTION AT THE WELL-HEAD IN ACCORDANCE WITH A FORMULA FIXED IN THE TREATY; THE MONEY WOULD THEN BE DISTRIBUTED BY AN INTERNATIONAL AUTHORITY UNDER A FORMULA STILL BEING NEGOTIATED.

-- FOURTH, THE PROTECTION OF THE MARINE ENVIRONMENT. EFFECTIVE INTERNATIONAL MEASURES TO PROTECT THE OCEANS FROM POLLUTION IS VITAL TO THE HEALTH, INDEED, TO THE VERY SURVIVAL OF OUR PLANET. THE LAW OF THE SEA TREATY WILL DEAL WITH ALL ASPECTS OF MARINE POLLUTION. ON THE CRITICAL ISSUE OF POLLUTION CAUSED BY SEAGOING VESSELS, WE ANTICIPATE THAT THE CONFERENCE WILL PROVIDE FOR EFFECTIVE ENFORCEMENT OF ENVIRONMENTAL PROTECTION REGULATIONS. WE MUST NOW PUT FORTH OUR BEST EFFORTS TO REACH SATISFACTORY AGREEMENT ON THE ENFORCEMENT OF REGULATIONS COVERING ALL THE OUTSTANDING ISSUES CONCERNING THE PROTECTION OF THE MARINE ENVIRONMENT.

PROGRESS ON THESE KEY ISSUES HAS BEEN HEARTENING. BUT WE MUST REACH AGREEMENT ON THE REMAINING ISSUES, OR ELSE THE ENCOURAGING PROGRESS MADE TO DATE WILL BE LOST AND INTERNATIONAL ANARCHY WILL THREATEN.

THE REMAINING ISSUES
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THERE ARE THREE MAJOR REMAINING RESOLVED ISSUES:

-- FIRST, WAYS MUST BE FOUND TO ENCOURAGE MARINE SCIENTIFIC RESEARCH FOR THE BENEFIT OF ALL MANKIND WHILE AT THE SAME TIME PROTECTING THE LEGITIMATE INTERESTS OF COASTAL STATES IN THEIR 200-MILE ECONOMIC ZONE, THE AREA IN WHICH SOME 80 PERCENT OF SUCH RESEARCH NOW TAKES PLACE.

-- SECOND, THE TREATY MUST INCLUDE PROVISIONS FOR

COMPULSORY AND IMPARTIAL SETTLEMENT OF DISPUTES IN ORDER THAT DIFFERENCES OF INTERPRETATION AND INCOMPATIBLE PRACTICES CAN BE SETTLED PEACEFULLY.

-- AND THIRD, WE MUST CREATE AN INTERNATIONAL REGIME FOR THE EXPLOITATION OF RESOURCES OF THE DEEP SEABEDS, THOSE HERETOFORE INACCESSIBLE REACHES OF THE SEAS BEYOND THE ECONOMIC ZONE AND CONTINENTAL MARGIN.

UNITED STATES PROPOSALS

THE UNITED STATES TODAY PROPOSES THE FOLLOWING PACKAGE AS A CONTRIBUTION TO HELPING THE CONFERENCE REACH A SWIFT AND COMPREHENSIVE SOLUTION ON THE MAJOR REMAINING PROBLEMS:

MARINE SCIENTIFIC RESEARCH. THE HEALTH, THE SAFETY AND THE PROGRESS OF THE WORLD'S PEOPLE MAY VITALLY DEPEND UPON THE EXTENT OF MARINE SCIENTIFIC RESEARCH; IT MUST BE FOSTERED AND NOT IMPEDED. TO FURTHER MARINE SCIENTIFIC RESEARCH THE UNITED STATES IS PREPARED TO AGREE TO A REASONABLE BALANCE BETWEEN COASTAL STATE AND INTERNATIONAL INTERESTS IN MARINE SCIENTIFIC RESEARCH IN THE ECONOMIC ZONE. WE WILL AGREE TO COASTAL STATE CONTROL OF SCIENTIFIC RESEARCH WHICH IS DIRECTLY RELATED TO THE EXPLORATION AND EXPLOITATION OF THE RESOURCES OF THE ECONOMIC ZONE. BUT WE SHALL ALSO INSIST THAT OTHER MARINE SCIENTIFIC RESEARCH NOT BE HAMPERED.

WE RECOGNIZE THAT THIS DISTINCTION IS BOUND TO RAISE DIFFICULT QUESTIONS IN PRACTICE. THIS IS WHY WE BELIEVE UNCLASSIFIED

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THAT ITS DETERMINATION CANNOT BE LEFT EITHER TO THE COASTAL STATE OR TO THE STATE SEEKING TO DO SCIENTIFIC RESEARCH; IT MUST ULTIMATELY BE DECIDED BY AN IMPARTIAL BODY.

FOR OUR PART, THE UNITED STATES IS PREPARED TO GUARANTEE THAT COASTAL STATES RECEIVE ADVANCE NOTICE OF SCIENTIFIC RESEARCH IN THE ECONOMIC ZONE, WILL HAVE THE RIGHT TO PARTICIPATE IN THAT RESEARCH, AND WILL RECEIVE DATA AND RESULTS OF SUCH RESEARCH AS WELL AS ASSISTANCE IN INTERPRETING THE SIGNIFICANCE OF THOSE RESULTS.

THIS PROPOSAL WOULD HELP RESOLVE THE DIFFERENCES BETWEEN THOSE WHO DESIRE COMPLETE COASTAL STATE CONTROL OVER ALL MARINE SCIENTIFIC RESEARCH AND THOSE WHO SEEK TO MAINTAIN COMPLETE FREEDOM FOR SUCH RESEARCH IN THE PROPOSED ECONOMIC ZONE.

DISPUTE SETTLEMENT. NO NATION COULD ACCEPT UNILATERAL INTERPRETATION OF A TREATY OF SUCH VAST SCOPE BY INDIVIDUAL STATES OR BY AN INTERNATIONAL SEABED ORGANIZATION OR ANY OTHER INTERESTED PARTY.

TO PROMOTE THE FAIR SETTLEMENT OF DISPUTES INVOLVING THE INTERPRETATION OF THE TREATY, THE UNITED STATES PROPOSES THE ESTABLISHMENT OF AN IMPARTIAL DISPUTE SETTLEMENT MECHANISM WHOSE FINDINGS WOULD BE BINDING ON ALL SIGNATORY STATES. SUCH A MECHANISM WOULD ENSURE THAT ALL STATES HAVE RECOURSE TO A LEGAL PROCESS WHICH WOULD BE NON-POLITICAL, RAPID, AND IMPARTIAL TO ALL. IT WOULD ESPECIALLY PROTECT THE RIGHTS OF ALL STATES IN THE ECONOMIC ZONE BY RESOLVING DIFFERENCES IN INTERPRETATION OF THE TREATY WHICH MIGHT LEAD TO SERIOUS CONFLICT BETWEEN PARTIES. IT MUST BE RESPONSIBLE FOR ASSURING THE PROPER BALANCE BETWEEN THE RIGHTS OF COASTAL STATES AND THE RIGHTS OF OTHER STATES WHICH ALSO USE -- AND INDEED OFTEN ARE DEPENDENT UPON -- THE ECONOMIC ZONES OF COASTAL STATES. AND ITS DECISIONS MUST BE OBLIGATORY.

ESTABLISHMENT OF A PROFESSIONAL, IMPARTIAL AND COMPULSORY DISPUTE SETTLEMENT MECHANISM IS NECESSARY TO ENSURE THAT THE OCEANS WILL BE GOVERNED BY THE RULE OF LAW RATHER
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THAN THE RULE OF FORCE. UNLESS THIS POINT IS ACCEPTED, MANY NATIONS COULD NOT AGREE TO THE TREATY, SINCE ONLY THROUGH SUCH A MECHANISM CAN THEY BE ASSURED THAT THEIR INTERESTS WILL BE FAIRLY PROTECTED. AND AGREEMENT ON THIS MATTER WILL MAKE ACCOMMODATION ON OTHER ISSUES EASIER.

THE DEEP SEABEDS. THE THIRD, AND THE MOST COMPLEX AND VITAL ISSUE REMAINING BEFORE THE CONFERENCE, IS THE PROBLEM OF THE DEEP SEABEDS.

FOR DECADES WE HAVE KNOWN THAT THE DEEP SEABEDS CONTAIN GREAT POTENTIAL RESOURCES OF NICKEL, MANGANESE, COBALT AND COPPER -- RESOURCES WHOSE ACCESSIBILITY COULD CONTRIBUTE SIGNIFICANTLY TO GLOBAL ECONOMIC GROWTH IN THE FUTURE. IT IS ONLY RECENTLY THAT THE TECHNOLOGY HAS BEEN DEVELOPED WHICH CAN ENABLE US TO REACH THOSE DEPOSITS AND EXTRACT THEM.

THE CONFERENCE HAS NOT YET APPROACHED AGREEMENT ON THE ISSUE OF THE DEEP SEABEDS BECAUSE IT HAS CONFRONTED SERIOUS PHILOSOPHICAL DISAGREEMENTS. SOME HAVE ARGUED THAT COMMERCIAL EXPLOITATION UNRESTRAINED BY INTERNATIONAL TREATY WOULD BE IN THE BEST INTERESTS OF THE UNITED STATES. IN FACT THIS COUNTRY IS MANY YEARS AHEAD OF ANY OTHER IN

THE TECHNOLOGY OF DEEP SEA MINING, AND WE ARE IN ALL RESPECTS PREPARED TO PROTECT OUR INTERESTS. IF THE DEEP SEABEDS ARE NOT SUBJECT TO INTERNATIONAL AGREEMENT THE UNITED STATES CAN AND WILL PROCEED TO EXPLORE AND MINE ON ITS OWN.

BUT WHILE SUCH A COURSE MIGHT BRING US A SHORT-TERM ADVANTAGE, IT POSES LONG-TERM DANGERS. EVENTUALLY ANY ONE COUNTRY'S TECHNICAL SKILLS ARE BOUND TO BE DUPLICATED BY OTHERS. A RACE WOULD THEN BEGIN, TO CARVE OUT DEEP SEA DOMAINS FOR EXPLOITATION. THIS CANNOT BUT ESCALATE INTO ECONOMIC WARFARE, ENDANGER THE FREEDOM OF NAVIGATION, AND ULTIMATELY LEAD TO TESTS OF STRENGTH AND MILITARY CONFRONTATIONS. AMERICA WOULD NOT BE TRUE TO ITSELF, OR TO ITS MORAL HERITAGE, IF IT ACCEPTED A WORLD IN WHICH MIGHT MAKES RIGHT -- WHERE POWER ALONE DECIDES THE CLASH OF INTERESTS. AND, FROM A PRACTICAL STANDPOINT, NO ONE

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RECOGNIZES MORE CLEARLY THAN AMERICAN INDUSTRY THAT INVESTMENT, ACCESS, AND PROFIT CAN BEST BE PROTECTED IN AN ESTABLISHED AND PREDICTABLE ENVIRONMENT.

ON THE OTHER HAND, THERE ARE THOSE WHO WOULD PLACE ALL THE DEEP SEABED'S RESOURCES UNDER AN INTERNATIONAL AUTHORITY. SUCH A PROPOSAL WOULD NOT PROVIDE ADEQUATE INCENTIVES AND GUARANTEES FOR THOSE NATIONS WHOSE TECHNOLOGICAL ACHIEVEMENT AND ENTREPRENEURIAL BOLDNESS ARE REQUIRED IF THE DEEP SEABEDS ARE TO BENEFIT ALL MANKIND. IT WOULD GIVE CONTROL TO THOSE WHO DO NOT HAVE THE RESOURCES TO UNDERTAKE DEEP SEABED MINING.

LET ME BRIEFLY REVIEW THE SPECIFIC ISSUES BEFORE US AND THEN SET FORTH THE PROPOSALS WHICH WE BELIEVE CAN FORM THE BASIS FOR A NEW CONSENSUS ON THE DEEP SEABEDS.

FIRST, THE DECISION-MAKING MACHINERY FOR MANAGING THE DEEP SEABEDS.

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THERE HAS BEEN CONSIDERABLE DEBATE OVER THE FORM AND THE POWERS OF THE DECISION-MAKING MACHINERY ESTABLISHED UNDER THE TREATY.

THE UNITED STATES IS PREPARED TO ACCEPT INTERNATIONAL MACHINERY; BUT SUCH MACHINERY MUST BE BALANCED, EQUITABLE, AND ENSURE THAT THE RELATIVE ECONOMIC INTERESTS OF THE COUNTRIES WITH IMPORTANT ACTIVITIES IN THE DEEP SEABEDS BE PROTECTED, EVEN THOUGH THOSE COUNTRIES MAY BE A NUMERICAL MINORITY.

SECOND, ACCESS TO THE DEEP SEABEDS. THE CONFERENCE HAS BEEN STRUGGLING WITH THE ISSUE OF WHICH NATIONS, WHICH FIRMS, AND WHICH INTERNATIONAL AUTHORITIES WILL HAVE DIRECT ACCESS TO, AND SHARE IN THE BENEFITS FROM THE DEVELOPING OF DEEP SEABED RESOURCES. THE UNITED STATES UNDERSTANDS THE CONCERN THAT THE RICHES OF THE SEAS NOT BE THE EXCLUSIVE PRESERVE OF ONLY THE MOST POWERFUL AND TECHNOLOGICALLY ADVANCED NATIONS. WE RECOGNIZE THAT THE WORLD COMMUNITY SHOULD SHARE IN THE BENEFITS OF DEEP SEABED EXPLOITATION.

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WHAT THE UNITED STATES CANNOT ACCEPT IS THAT THE RIGHT OF ACCESS TO SEABED MINERALS BE GIVEN EXCLUSIVELY TO AN INTERNATIONAL AUTHORITY, OR BE SO SEVERELY RESTRICTED AS EFFECTIVELY TO DENY ACCESS TO THE FIRMS OF ANY INDIVIDUAL NATION INCLUDING OUR OWN. WE ARE GRATIFIED TO NOTE AN INCREASING AWARENESS OF THE NEED TO AVOID SUCH EXTREME POSITIONS AND TO MOVE NOW TO A GENUINE ACCOMMODATION THAT WOULD PERMIT REASONABLE ASSURANCES TO ALL STATES AND THEIR NATIONALS THAT THEIR ACCESS TO THESE RESOURCES WILL NOT BE DENIED.

THIRD, THE EFFECT OF SEABED MINING ON LAND-BASED PRODUCERS. LAND-BASED PRODUCERS OF SEABED MINERALS ARE CONCERNED THAT SEABED PRODUCTION MAY ADVERSELY AFFECT THEIR NATIONAL ECONOMIES. THIS IS AN ESPECIALLY SERIOUS PROBLEM SINCE MANY OF THESE PRODUCERS ARE POOR, DEVELOPING COUNTRIES

WE TAKE THESE CONCERNS SERIOUSLY. BUT AT THE SAME TIME IT MUST BE RECOGNIZED THAT COMMERCIAL SEABED PRODUCTION OF THESE METALS IS AT LEAST FIVE YEARS AWAY. FOR MANY YEARS THEREAFTER, SEABED PRODUCTION WILL AMOUNT TO ONLY A FRACTION OF TOTAL GLOBAL PRODUCTION. MOREOVER, GLOBAL METAL MARKETS ARE EXPANDING AND SHOULD EASILY BE ABLE TO ACCOMMODATE ADDITIONAL PRODUCTION FROM THE SEABEDS WITHOUT ADVERSELY AFFECTING REVENUES OF LAND-BASED PRODUCER COUNTRIES.

THE UNITED STATES IS PREPARED TO MAKE A MAJOR EFFORT TO RESOLVE THESE ISSUES EQUITABLY AND TO BRING THE LAW OF THE SEA CONFERENCE TO A SWIFT AND SUCCESSFUL CONCLUSION. IN THIS SPIRIT, THE UNITED STATES OFFERS THE FOLLOWING PROPOSALS.

FIRST, TO ENSURE AN EQUITABLE DECISION-MAKING SYSTEM, THE UNITED STATES CONTINUES TO BELIEVE THAT THE TREATY SHOULD AUTHORIZE THE FORMATION OF AN INTERNATIONAL SEABED RESOURCE AUTHORITY TO SUPERVISE EXPLORATION AND DEVELOPMENT OF THE DEEP SEABEDS. THE AUTHORITY WOULD BE COMPRISED OF FOUR PRINCIPAL ORGANS:

-- AN ASSEMBLY OF ALL MEMBER STATES, TO GIVE GENERAL
POLICY GUIDANCE;
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-- A COUNCIL, TO SERVE AS THE EXECUTIVE, POLICY-LEVEL
AND MAIN DECISION-MAKING FORUM, SETTING OPERATIONAL AND
ENVIRONMENTAL RULES FOR MINING, AND SUPERVISING THE
CONTRACTS FOR DEEP SEABED MINING;

-- A TRIBUNAL, TO RESOLVE DISPUTES THROUGH LEGAL PROCESSES;
AND

-- A SECRETARIAT, TO CARRY OUT THE DAY-TO-DAY ADMINIS-
TRATIVE ACTIVITIES OF THE AUTHORITY.

THE UNITED STATES PROPOSES

-- THAT THE POWER OF THE AUTHORITY BE CAREFULLY DETAILED
BY THE TREATY IN ORDER TO PRESERVE ALL THOSE RIGHTS
REGARDING THE USES OF THE SEAS WHICH FALL OUTSIDE THE
COMPETENCE OF THE AUTHORITY, AND TO AVOID ANY JURIS-
DICTIONAL OVERLAP WITH OTHER INTERNATIONAL ORGANIZATIONS;

-- THAT THE COMPOSITION AND STRUCTURE OF THE COUNCIL
REFLECT THE PRODUCER AND CONSUMER INTERESTS OF THOSE
STATES MOST CONCERNED WITH SEABED MINING. ALL NATIONS
WHOSE VITAL NATIONAL ECONOMIC CONCERNS ARE AFFECTED
BY DECISIONS OF THE AUTHORITY MUST HAVE A VOICE AND
INFLUENCE IN THE COUNCIL COMMENSURATE WITH THEIR INTERESTS;

-- THAT THE PROPOSED PERMANENT SEABED TRIBUNAL ADJUDICATE
QUESTIONS OF INTERPRETATION OF THE TREATY AND OF THE
POWERS OF THE INTERNATIONAL AUTHORITY RAISED BY PARTIES
TO THE TREATY OR BY PRIVATE COMPANIES ENGAGED IN SEABED
MINING. WITHOUT A TRIBUNAL, UNRESOLVED CONTENTION IS A

CERTAINTY. SUCH A BODY WILL BE NECESSARY IF ANY SEABED
PROPOSAL IS TO WIN WIDE ACCEPTANCE.

SECOND, TO ENSURE THAT ALL NATIONS, DEVELOPED AND
DEVELOPING, HAVE ADEQUATE ACCESS TO SEABED MINING SITES;

-- THE UNITED STATES PROPOSES THAT THE TREATY SHOULD
GUARANTEE NON-DISCRIMINATORY ACCESS FOR STATES AND THEIR
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NATIONALS TO DEEP SEABED RESOURCES UNDER SPECIFIED AND REASONABLE CONDITIONS. THE REQUIREMENT OF GUARANTEED ACCESS WILL NOT BE MET IF THE TREATY CONTAINS ARBITRARY OR RESTRICTIVE LIMITATIONS ON THE NUMBER OF MINE SITES WHICH ANY NATION MIGHT EXPLOIT. AND SUCH RESTRICTIONS ARE UNNECESSARY BECAUSE DEEP SEABED MINING CANNOT BE MONOPOLIZED; THERE ARE MANY MORE PRODUCTIVE SEABED MINING SITES THAN CONCEIVABLY CAN BE MINED FOR CENTURIES TO COME.

-- THE UNITED STATES ACCEPTS THAT AN "ENTERPRISE" SHOULD BE ESTABLISHED AS PART OF THE INTERNATIONAL SEABED RESOURCE AUTHORITY AND GIVEN THE RIGHT TO EXPLOIT THE DEEP SEABEDS UNDER THE SAME CONDITIONS AS APPLY TO ALL MINING.

-- THE UNITED STATES COULD ACCEPT AS PART OF AN OVERALL SETTLEMENT, A SYSTEM IN WHICH PRIME MINING SITES ARE RESERVED FOR EXCLUSIVE EXPLOITATION BY THE ENTERPRISE OR BY THE DEVELOPING COUNTRIES DIRECTLY -- IF THIS APPROACH MEETS WITH BROAD SUPPORT. UNDER THIS SYSTEM, EACH INDIVIDUAL CONTRACTOR WOULD PROPOSE TWO MINE SITES FOR EXPLOITATION. THE AUTHORITY WOULD THEN SELECT ONE OF THESE SITES WHICH WOULD BE MINED BY THE AUTHORITY DIRECTLY OR MADE AVAILABLE TO DEVELOPING COUNTRIES AT ITS DISCRETION. THE OTHER SITE WOULD BE MINED BY THE CONTRACTOR ON HIS OWN.

-- THE UNITED STATES PROPOSES THAT THE INTERNATIONAL AUTHORITY SHOULD SUPERVISE A SYSTEM OF REVENUE-SHARING FROM MINING ACTIVITIES FOR THE USE OF THE INTERNATIONAL COMMUNITY, PRIMARILY FOR THE NEEDS OF THE POOREST COUNTRIES. THESE REVENUES WILL NOT ONLY ADVANCE THE GROWTH OF DEVELOPING COUNTRIES; THEY WILL PROVIDE TANGIBLE EVIDENCE THAT A FAIR SHARE IN GLOBAL ECONOMIC ACTIVITY

CAN BE ACHIEVED BY A POLICY OF COOPERATION. REVENUE SHARING COULD BE BASED EITHER ON ROYALTIES OR ON A SYSTEM OF PROFIT-SHARING FROM CONTRACT MINING. SUCH A SYSTEM WOULD GIVE REALITY TO THE DESIGNATION OF THE DEEP SEABEDS AS THE COMMON HERITAGE OF ALL MANKIND.
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-- FINALLY, THE UNITED STATES IS PREPARED TO MAKE A MAJOR EFFORT TO ENHANCE THE SKILLS AND ACCESS OF DEVELOPING COUNTRIES TO ADVANCED DEEP SEABED MINING TECHNOLOGY IN ORDER TO ASSIST THEIR CAPABILITIES IN THIS FIELD. FOR

EXAMPLE, INCENTIVES SHOULD BE ESTABLISHED FOR PRIVATE COMPANIES TO PARTICIPATE IN AGREEMENTS TO SHARE TECHNOLOGY AND TRAIN PERSONNEL FROM DEVELOPING COUNTRIES.

THIRD, IN RESPONSE TO THE LEGITIMATE CONCERNS OF LAND-BASED PRODUCERS OF MINERALS FOUND IN THE DEEP SEABEDS, WE OFFER THE FOLLOWING STEPS AS AN ADDITIONAL MAJOR CONTRIBUTION TO THE NEGOTIATIONS.

-- THE UNITED STATES IS PREPARED TO ACCEPT A TEMPORARY LIMITATION, FOR A PERIOD FIXED IN THE TREATY ON PRODUCTION OF THE SEABED MINERALS TIED TO THE PROJECTED GROWTH IN THE WORLD NICKEL MARKET, CURRENTLY ESTIMATED TO BE ABOUT 6 PERCENT A YEAR. THIS WOULD IN EFFECT LIMIT PRODUCTION OF OTHER MINERALS CONTAINED IN DEEP SEABED NODULES, INCLUDING COPPER. AFTER THIS PERIOD, THE SEABED PRODUCTION SHOULD BE GOVERNED BY OVERALL MARKET CONDITIONS.

-- THE UNITED STATES PROPOSES THAT THE INTERNATIONAL SEABED AUTHORITY HAVE THE RIGHT TO PARTICIPATE IN ANY INTERNATIONAL AGREEMENTS ON SEABED-PRODUCED COMMODITIES IN ACCORDANCE WITH THE AMOUNT OF PRODUCTION FOR WHICH IT IS DIRECTLY RESPONSIBLE. THE UNITED STATES IS PREPARED TO EXAMINE WITH FLEXIBILITY THE DETAILS OF ARRANGEMENTS CONCERNING THE RELATIONSHIPS BETWEEN THE AUTHORITY AND ANY EVENTUAL COMMODITY AGREEMENTS.

-- THE UNITED STATES PROPOSES THAT SOME OF THE REVENUES OF THE INTERNATIONAL SEABED RESOURCE AUTHORITY BE USED FOR ADJUSTMENT ASSISTANCE AND THAT THE WORLD BANK, REGIONAL DEVELOPMENT BANKS, AND OTHER INTERNATIONAL INSTITUTIONS ASSIST COUNTRIES TO IMPROVE THEIR COMPETITIVENESS OR DIVERSIFY INTO OTHER KINDS OF PRODUCTION IF THEY ARE SERIOUSLY INJURED BY PRODUCTION FROM THE DEEP SEABEDS. AN URGENT TASK OF THE INTERNATIONAL AUTHORITY, WHEN IT IS ESTABLISHED, WILL BE TO DEVISE AN ADJUSTMENT

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ASSISTANCE PROGRAM IN COLLABORATION WITH OTHER INTERNATIONAL INSTITUTIONS FOR COUNTRIES WHICH SUFFER ECONOMIC

DISLOCATIONS AS A RESULT OF DEEP SEABED MINING.

THESE PROPOSALS ON THE ISSUE OF DEEP SEABED RESOURCES ARE OFFERED IN THE SPIRIT OF COOPERATION AND COMPROMISE THAT CHARACTERIZED OUR ECONOMIC PROPOSALS AT THE SEVENTH SPECIAL SESSION AND THAT GUIDES OUR POLICIES TOWARDS THE DEVELOPING NATIONS. THE UNITED STATES IS EXAMINING A RANGE OF COMMODITY PROBLEMS AND WAYS IN WHICH THESE MIGHT BE FAIRLY RESOLVED. WE INTEND TO PLAY AN ACTIVE

ROLE AT THE UNITED NATIONS CONFERENCE ON TRADE AND DEVELOPMENT NEXT MONTH IN NAIROBI AND COME FORWARD WITH SPECIFIC PROPOSALS. WE LOOK TOWARD A CONSTRUCTIVE DIALOGUE IN THE RAW MATERIALS COMMISSION OF THE CONFERENCE ON INTERNATIONAL ECONOMIC COOPERATION IN PARIS. AND WE ARE ACTIVELY COMMITTED TO PRODUCER-CONSUMER FORUMS TO DISCUSS INDIVIDUAL COMMODITIES -- SUCH AS THE RECENT FORUM ON COPPER.

THE UNITED STATES BELIEVES THAT THE WORLD COMMUNITY HAS BEFORE IT A GRAVE RESPONSIBILITY. OUR COUNTRY CANNOT DELAY IN ITS EFFORTS TO DEVELOP AN ASSURED SUPPLY OF CRITICAL RESOURCES THROUGH OUR DEEP SEABED MINING PROJECTS. WE STRONGLY PREFER AN INTERNATIONAL AGREEMENT TO PROVIDE A STABLE LEGAL ENVIRONMENT BEFORE SUCH DEVELOPMENT BEGINS, ONE THAT ENSURES THAT ALL RESOURCES ARE MANAGED FOR THE GOOD OF THE GLOBAL COMMUNITY AND THAT ALL CAN PARTICIPATE. BUT IF AGREEMENT IS NOT REACHED THIS YEAR IT WILL BE INCREASINGLY DIFFICULT TO RESIST PRESSURE TO PROCEED UNILATERALLY. AN AGREEMENT ON THE DEEP SEABED CAN TURN THE WORLD'S INTERDEPENDENCE FROM A SLOGAN INTO A REALITY. A SENSE OF COMMUNITY WHICH NATIONS HAVE STRIVEN TO ACHIEVE ON LAND FOR CENTURIES COULD BE REALIZED IN A REGIME FOR THE OCEANS.

CONCLUSION

LADIES AND GENTLEMEN,

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THE NATIONS OF THE WORLD NOW HAVE BEFORE THEM A RARE, IF NOT UNIQUE, OPPORTUNITY. IF WE CAN LOOK BEYOND THE PRESSURES AND THE POLITICS OF TODAY TO ENVISION THE REQUIREMENTS OF A BETTER TOMORROW, THEN WE CAN UNDERSTAND THE TRUE MEANING OF THE TASK BEFORE US.

LET US PAUSE TO REALIZE WHAT THIS TREATY CAN MEAN--TO THIS GENERATION AND TO THE POSSIBLE REALIZATION OF HUMANITY'S DREAM OF A PROGRESSIVE ASCENT TOWARD JUSTICE AND A GOOD LIFE FOR ALL PEOPLES.

IF THE CONFERENCE IS SUCCESSFUL, MANKIND'S RIGHTS AND RESPONSIBILITIES WITH REGARD TO THE OCEANS WILL BE CLEAR TO ALL.

-- THIS WILL MEAN FREEDOM OF NAVIGATION, PRESERVING THE RIGHTS OF ALL ON THE SEAS.

-- IT WILL MEAN A GREATER FLOURISHING OF TRADE AND

COMMERCE, BRINGING THE BENEFITS OF A FREER FLOW OF GOODS TO CONSUMERS AND PRODUCERS ALIKE.

-- IT WILL MEAN THAT THE OCEANS, RECOGNIZED AS "THE SOURCE OF ALL" SINCE HOMER'S DAY, CAN CONTINUE TO ENRICH AND SUPPORT OUR PLANET'S ENVIRONMENT.

-- IT WILL MEAN THAT THERE WILL BE A COMPREHENSIVE REGIME FOR ALL OF THE WORLD'S OCEANS EMBRACING NOT ONLY TERRITORIAL WATERS BUT A NEW ECONOMIC ZONE, THE CONTINENTAL MARGIN AND THE DEEP SEABEDS.

-- IT WILL MEAN THE REALIZATION OF THE PROMISE OF SCIENTIFIC RESEARCH IN THE OCEANS--THE FURTHER PROBING OF THE MYSTERIES OF OUR PLANET TO BETTER THE LIVES AND PRESERVE THE HEALTH OF ALL.

-- IT WILL MEAN THAT THE SEAS' RESOURCES OF NUTRITION AND RAW MATERIALS CAN BE TAPPED FOR THE USE OF THE ENTIRE HUMAN COMMUNITY.

-- IT WILL MEAN THAT AN ARENA OF CONFLICT, AND ONE UNCLASSIFIED

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WHICH IS BECOMING INCREASINGLY DANGEROUS, WILL BECOME AN AREA FOR COOPERATIVE PROGRESS.

-- IT WILL MEAN THAT THE ENTIRE INTERNATIONAL COMMUNITY--THE DEVELOPING AS WELL AS DEVELOPED, LAND-LOCKED AS WELL AS COASTAL--WILL SHARE IN THE USES, THE NOURISHMENT, THE MATERIAL RESOURCES AND THE REVENUES WHICH THIS GREAT TREATY COULD PROVIDE. FOR THE POORER COUNTRIES IN PARTICULAR, IT WILL MEAN REVENUES FROM THE CONTINENTAL MARGIN AND THE DEEP SEABEDS, AND THE OPPORTUNITY TO PARTICIPATE IN DEEP SEA MINING THROUGH AN INTERNATIONAL ORGANIZATION.

-- AND ABOVE ALL, IT WILL MEAN THE NATIONS OF THE WORLD HAVE PROVED THAT THE CHALLENGES OF THE FUTURE CAN BE SOLVED COOPERATIVELY; THAT, FOR THE FIRST TIME MANKIND HAS BEEN ABLE TO SURMOUNT TRADITIONAL ENMITIES AND AMBITIONS IN THE SERVICE OF A BETTER VISION.

THESE THEN, ARE THE STAKES; THESE ARE THE POSSIBILITIES WE HOLD IN OUR GRASP. WILL WE HAVE THE MATURITY AND THE JUDGMENT TO GO FORWARD? WILL WE FULFILL THE OBLIGATIONS WHICH FUTURE HISTORIANS--WITHOUT QUESTION--WILL ASSIGN TO US? I BELIEVE WE SHALL. THE UNITED STATES IS DETERMINED

THAT WE SHALL. THE POSSIBILITY AND THE PROMISE HAVE NEVER BEEN MORE CLEAR. THROUGH REASON, THROUGH RESPONSIBILITY, AND BY WORKING TOGETHER WE SHALL SUCCEED.

WITH HINDSIGHT IT IS EASY TO IDENTIFY THE MOMENTS IN HISTORY WHEN HUMANITY BROKE FROM OLD WAYS AND MOVED IN NEW DIRECTIONS. BUT FOR THOSE LIVING THROUGH SUCH TIMES, IT IS USUALLY DIFFICULT TO SEE THE TRUE SIGNIFICANCE EVEN OF EPOCH-MAKING EVENTS.

THAT IS WHY THE NATIONS WHO ARE ENGAGED IN THE LAW OF THE SEA CONFERENCE HAVE COME TO A UNIQUE MOMENT IN HISTORY. ONLY RARELY DOES MANKIND COMPREHEND THE SIGNIFICANCE OF CHANGE IN THE WORLD AS WE SO CLEARLY DO TODAY. WE SHARE A COMMON PERCEPTION:
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-- OF THE NEED TO CONTAIN POTENTIAL CONFLICT;

-- OF THE IMPORTANCE OF COOPERATIVE SOLUTIONS TO SHARED PROBLEMS; AND

-- OF THE NECESSITY TO ACHIEVE THE FULL AND FAIR USE OF THE POSSIBILITIES OF OUR PLANET, BOTH MATERIAL AND MORAL.

IF A SECOND SESSION IS NECESSARY THIS YEAR TO COMPLETE THE WORK OF THE CONFERENCE, LET US MAKE THAT SESSION THE FINAL ONE. TO UNDERLINE THE IMPORTANCE THE PRESIDENT ATTACHES TO THESE NEGOTIATIONS HE HAS ASKED ME TO LEAD THE UNITED STATES DELEGATION TO THAT SESSION. IT IS OUR HOPE THAT OTHER NATIONS WILL ATTACH SIMILARLY HIGH IMPORTANCE TO IT AND BE PREPARED TO DISCUSS THE REMAINING ISSUES BEFORE US AT A DECISIVE POLITICAL LEVEL. THIS SHOULD BE A TIME FOR DETERMINED ACTION--A TIME TO AVOID RHETORIC AND TO COMMIT OURSELVES TO DECISIONS AND A FINAL AGREEMENT.

THE UNITED STATES CALLS UPON ALL NATIONS DELIBERATING THIS GREAT TREATY TO SUMMON THE SENSE OF RESPONSIBILITY AND URGENCY WHICH HISTORY AND THIS TASK DEMAND OF US. FOR OUR PART, THE UNITED STATES PLEDGES ITSELF TO WORK Tirelessly TO SEIZE THIS RARE CHANCE FOR DECISIVE PROGRESS ON ONE OF THE GREAT CHALLENGES OF OUR TIME. KISSINGER

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